

### **REMARKS**

The present Amendment is in response to the Office Action mailed October 30, 2008. Claims 1 and 4 are amended. Claims 1-20 are now pending in view of the above amendments.

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claims. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claims and the cited references. In addition, Applicant requests that the Examiner carefully review any references discussed below to ensure that Applicant's understanding and discussion of the references, if any, is consistent with the Examiner's understanding.

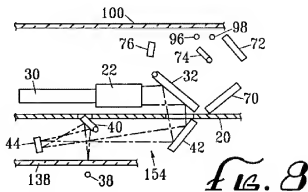
#### **I. Rejection Under 35 U.S.C. § 103**

The Examiner rejects claims 1-7 and 12-13 under 35 U.S.C. § 103 over *Han* (U.S. Patent No. 6,621,603) in view of U.S. Patent No. 6,304,358 to Lin et al. (hereinafter "*Lin*"). Applicant traverses the Examiner's rejection for obviousness on the grounds that the references – either individually or in combination – fail to teach or suggest each and every element of the rejected claims.

Claim 1 recites, in combination with other elements, "a scanning platform for placing thereon an object to be scanned; a carriage module arranged under said scanning platform, and comprising a light source for emitting light and an image sensor, the light being reflected by said object toward said image sensor in a reflective scanning mode; and a light-guiding member arranged over said scanning platform for guiding the light emitted by said light source to said object, the light guided by the light-guiding member penetrating through said object toward said image sensor in a transmissive scanning mode."

In contrast, both of the cited references teach scanners in which the object is positioned between a light source and an image sensor or a light source positioned on one side of an object with mirrors and an image sensor on the other.

For example, *Han* teaches an image scanner, shown in Figure 8, in which a light source (38) emits light through a scanning platform (138) having a transparent object thereon. The light penetrating the object is incident on mirrors (40, 44, 42, and 32) that direct the light to an image sensor 22.



It is therefore readily apparent that the light source (38) and image sensor (22) are on opposite sides of the object. Furthermore, the mirrors (40, 44, 42, and 32), if they are to be considered “light-guiding members,” are located on the same side of the scanning platform as the image sensor.

*Lin* likewise fails to disclose the system claimed. In *Lin*, a scanner includes light sources both above and below a scanning platform. Referring to Figure 5b, the scanner includes a first support frame (60) having a first light source (65, not shown in Figure 5b) and an image retrieving device, such as a charge coupled device (CCD). Col. 3, lns. 37-45. In the lid of the scanner is a second support frame 50 having a second light source. Col. 3, lns. 52-59. Rods (54) couple the first support frame (60) to the second support frame (50) such that they can be driven by a single drive mechanism. Col. 3, ln. 60 – col. 4, ln. 15.

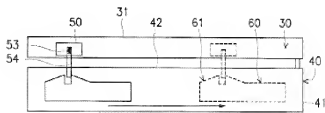


FIG. 5b

It is therefore apparent that, in the case of a penetrative scan, the light source and image sensor of *Lin* are on opposite sides of the object to be scanned, inasmuch as the image sensor is in the first support frame (60) whereas the light source is in the support frame (50). *Lin* further fails to show “a light-guiding member” positioned as recited in the claim.

Accordingly, *Han* and *Lin*, whether alone or in combination, both fail to disclose a system wherein “a carriage module [is] arranged under said scanning platform, and compris[es] a light source for emitting light and an image sensor” and “a light-guiding member arranged over said scanning platform for guiding the light emitted by said light source to said object.”

With respect to amended claim 4, neither of the cited references discloses a scanner as in claim 1, “wherein said light source is a U-shaped lamp, wherein a middle portion of the U-shaped lamp is turned off in the transmissive scanning mode.” None of the light sources in the cited references are disclosed as being other than linear and are further not described as having a middle portion that is turned off in the transmissive scanning mode.

With respect to claim 6, neither of the cited reference disclose a scanner as in claim 1, “wherein said carriage module further comprises a light mask covering a portion of said light source corresponding to said designated region in said transmissive scanning mode in order to prevent said object from direct illumination of said light source.”

The Office Action cites the mirror 32 of *Han* as satisfying these claim elements. However, the mirror 32 only serves to determine what light reaches the image sensors 22, 24. As is shown in Figure 8, reproduced above, the mirror 32 is positioned directly in front of the image sensors 22 and 24 and only controls light that has already reflected from, or transmitted through, an object. The mirror 32 does not in any way determine whether light from any of the light sources does or does not illuminate an object to be scanned. As is also apparent in Figure 8, the light sources 38, 96, and 98 are all positioned directly adjacent the scanning platforms 138 and 100, respectively, and therefore no means is provided for masking the light they output from reaching an object to be scanned.

Claims 2-13 are dependent on claim 1 and are therefore allowable for at least this reason.

## **II. Allowed Subject Matter**

The Examiner’s allowance of claims 14-20 is appreciated.

The Applicant submits the following comments concerning the Examiner’s statements of reasons for the indication of allowable subject matter in the Office Action. Applicant agrees with the Examiner that claims 14-20 are patentable over the prior art, but respectfully disagrees with the Examiners statement of reasons for allowance as set forth in Office Action. Applicant submits that it is the claim as a whole, rather than any particular element, that makes each of the

claims allowable. No single element should be construed as the reason for allowance of a claim because it is each of the elements of the claim that makes it allowable. Therefore, Applicant's do not concede that the reasons for allowable subject matter given by the Examiner are the only reasons that make, or would make, the claims allowable and do not make any admission or concession concerning the Examiner's statement in the Office Action.

### **CONCLUSION**

In view of the foregoing, and consistent with the tentative agreement reached during the Examiner Interview, Applicant believes the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 CFR § 1.16; (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise been requested, please consider this a petition therefor and charge any additional fees that may be required to Deposit Account No. 23-3178.

Dated this 29th day of January, 2009.

Respectfully submitted,

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